

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

Angelita Mangindin, et al.,

NO. C 09-01268 JW

Plaintiffs,

**ORDER TO SHOW CAUSE RE:  
DISMISSAL**

v.

Washington Mutual Bank, et al.,

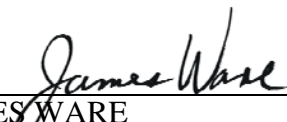
Defendants.

On June 18, 2009, the Court issued an Order dismissing Plaintiffs' Complaint. The Court granted Plaintiffs leave to amend, and ordered Plaintiffs to file an amended Complaint on or before June 29, 2009. (See Docket Item No. 24.) In its Order, the Court warned that failure to timely an amended Complaint may result in sanctions, including dismissal pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. (Id. at 15.) To date, Plaintiffs have not filed an amended pleading.

Accordingly, the Court orders Plaintiffs to appear in Courtroom No. 8, 4th Floor, United States District Court, 280 South First Street, San Jose, Ca. on **July 13, 2009 at 9 a.m.** to show cause, if any, by actual appearance in Court, and by certification filed with the Court on or before **July 7, 2009**, why said cause should not be dismissed for failure to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. The certificate shall set forth in factual summary the reason no amended pleading has been filed and what steps Plaintiffs are taking to pursue the action, its present status and the expected future course of the cause.

Failure to comply with any part of this Order will be deemed sufficient grounds to dismiss this action.

Dated: July 1, 2009

  
\_\_\_\_\_  
JAMES WARE  
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 David C. Scott [dscott@mccarthyholthus.com](mailto:dscott@mccarthyholthus.com)  
3 James Michael Hester [jhester@mccarthyholthus.com](mailto:jhester@mccarthyholthus.com)  
4 Matthew Edward Podmenik [lrodriguez@mccarthyholthus.com](mailto:lrodriguez@mccarthyholthus.com)  
5 Reuben Lagbao Nocos [rlnocos@nocoslaw.com](mailto:rlnocos@nocoslaw.com)

6 **Dated: July 1, 2009**

**Richard W. Wieking, Clerk**

7  
8 **By: /s/ JW Chambers**  
9 **Elizabeth Garcia**  
10 **Courtroom Deputy**